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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,

Plaintiff

v.

KENNETH D. KYLER, individually, and
in his official capacity, et al.,

Defendants

No. 1:CV-00-0315

(Judge Rambo)

(Magistrate Judge Smyser)

FILED
HARRISBURG PA

MAR 13 2001

MARY E. D'ANDREA, CLERK
Per
Deputy Clerk

**MOTION OF DEFENDANTS FOR ENLARGEMENT OF TIME TO FILE BRIEF IN
OPPOSITION TO PLAINTIFF'S MOTION TO OBTAIN PERMISSION TO
CORRESPOND WITH ANOTHER INMATE**

Defendants hereby move for an enlargement of time to file a brief in opposition to plaintiff's motion to obtain permission to correspond with another inmate. In support of this motion, defendants assert the following:

1. This is a civil rights action seeking a relief for various constitutional violations by prison officials.
2. As evidenced by the date on the postage meter, on February 23, 2001, plaintiff served four motions on defendants, including a motion to obtain permission to correspond with another inmate.
3. The Court has ruled on one motion and defendants have filed a brief opposing another, but there has not been sufficient time to prepare briefs for the other two motions by the date they are due, March 13, 2001.

4. Accordingly, defendants request an enlargement of time of one week, or until March 20, 2001, to file a brief in opposition to plaintiff's motion to obtain permission to correspond with another inmate.


6. This short enlargement of time will not unduly delay this matter nor will it prejudice the plaintiff.

WHEREFORE, defendants request an enlargement of time of a week, or until March 20, 2001, to file their brief in opposition to plaintiff's motion.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:


MICHAEL L. HARVEY
Senior Deputy Attorney General
Attorney I.D. #30098

SUSAN J. FORNEY
Chief Deputy Attorney General
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DATE: March 13, 2001

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CERTIFICATE OF SERVICE

I, Michael L. Harvey, Senior Deputy Attorney General, hereby certify that on this date I caused to be served the foregoing Motion of Defendants for Enlargement of Time to File Brief in Opposition to Plaintiff's Motion to Obtain Permission to Correspond with Another Inmate, by depositing a copy of the same in the United States mail, postage prepaid, in Harrisburg, PA., addressed to the following:

John Richard Jae, BQ-3219
SCI-Greene
175 Progress Drive
Waynesburg, PA 15370-2902


MICHAEL L. HARVEY
SENIOR DEPUTY ATTORNEY GENERAL

DATE: March 13, 2001